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ALLY FINANCIAL INC.

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
11

12 WEERACHAI CHAIWONG, an individual,

13 Plaintiff,

14 vs.

15 HANLEES FREMONT, INC., a California
Corporation, dba HANLEES FREMONT
16 HYUNDAI; ALLY FINANCIAL, INC., a
Delaware Corporation; and DOES 1 through
17 75, inclusive,

18 Defendants.
19

Case No. 3:16-cv-04074-HSG

**STIPULATION AND ORDER TO
EXTEND TIME FOR ALLY FINANCIAL
INC. TO FILE ITS REPLY IN SUPPORT
OF ITS MOTION TO DISMISS THE
CROSS CLAIMS OF DEFENDANT
HANLEES FREMONT, INC., PURSUANT
TO LOCAL RULE 6-1(b)**

Action Filed: May 25, 2016

Alameda Superior
Removed to USDC, ND of California:
July 20, 2016

20 Pursuant to Local Rule 6-1(b), Defendant Hanlees Fremont, Inc. (“Hanlees”) and
21 Defendant Ally Financial Inc. (“Ally”) (together, the “Parties”) by and through their respective
22 counsel of record, hereby stipulate as follows:

23 **STIPULATION**

24 WHEREAS, Hanlees filed cross claims against Ally in connection with its answer to
25 Plaintiff Weerachai Chaiwong’s complaint on September 26, 2016 (see Dkt. No. 25);

26 WHEREAS, the parties previously stipulated to an extension of Ally’s deadline to file its
27 response to Hanlees’ cross claims on October 13, 2016 (See Dkt. no. 32);

28 WHEREAS, Ally filed a motion to dismiss Hanlees’ cross claims on November 7, 2016

1 that is set to be heard on January 26, 2017;

2 WHEREAS, the parties previously stipulated to two extensions for Hanlees to file its
3 opposition to Ally's motion to dismiss and to two extensions for Ally to file its reply thereto;

4 WHEREAS, the first stipulated request for an extension of both deadlines was made on
5 November 21, 2016. (See Dkt. No. 37.) The request was refiled on December 2, 2016 after notice
6 from the court of an electronic filing error. (See Dkt. No. 38.) The Court retroactively granted
7 this request on December 7, 2016, and set Hanlees' opposition deadline as December 5, 2016 and
8 Ally's reply deadline as December 19, 2016. (See Dkt. No. 41.);

9 WHEREAS, the second stipulated request for an extension of both deadlines was made on
10 December 5, 2016. (See Dkt. No. 39.) The Court granted this request on December 7, 2016, and
11 set Hanlees' opposition deadline as December 19, 2016 and Ally's reply deadline as January 7,
12 2017. (See Dkt. No. 42.);

13 WHEREAS, Hanlees filed its opposition to Ally's motion to dismiss on December 19,
14 2016 (See Dkt. No. 46);

15 WHEREAS, Ally's reply brief in support of its motion to dismiss Hanlees' cross claims is
16 currently due on January 7, 2017;

17 WHEREAS, Hanlees has agreed to an extension of Ally's time to file its reply brief by ten
18 (10) days or until January 17, 2017 to accommodate Ally's counsel's trial and holiday vacation
19 schedule (see Kamka Decl. in support of stipulation, ¶¶ 1-2);

20 WHEREAS, this extension will not have any effect on the current schedule for the case.

21 IT IS HEREBY STIPULATED TO, by and between the Parties herein, through their
22 respective attorneys of record, that Ally will have a ten (10) day extension, up to and including
23 January 17, 2017 , in which to file and serve its reply in support of its motion to dismiss Hanlees'
24 cross claims.

25 This Stipulation is made without prejudice to, or waiver of, any rights or defenses
26 otherwise available to the Parties in this action.

1 DATED: December 28, 2016

SEVERSON & WERSON
A Professional Corporation

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4 By: /s/ Mary Kate Kamka
Mary Kate Kamka

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6 Attorneys for Defendant
ALLY FINANCIAL INC.

7 DATED: December 28, 2016

LAW OFFICES OF MARTIN PUTNAM

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10 By: /s/ Martin Putnam
Martin Putnam

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12 Attorney for Defendant and Cross-Claimant
HANLEES FREMONT, INC.

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14 I, Mary Kate Kamka, am the ECF user whose identification and password are being used
15 to file this Stipulation and [Proposed] Order to Extend Time. I hereby attest that Martin Putnam
16 has concurred in this filing.

17 /s/ Mary Kate Kamka

18
19 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

20 DATED: December 29, 2016

21 
The Honorable Haywood S. Gilliam Jr.